

**The punishment and treatment of women
under the law
in
19th-century Southern Ostrobothnia**

University of Oulu
Department of History
Bachelor's dissertation
15.05.2020
Merja Pyykkönen

Table of contents

Introduction	2
1. Women's juridical position.....	7
1.1 Roots of all the evil	7
1.2. <i>Loopholes in the court system</i>	9
2. Women's violent behavior.....	13
2.1 Affected societal norms?	13
2.2 <i>Gendered operation of the law</i>	16
Conclusions	20
Sources	22

Introduction

Some of the most violent times in Finland occurred from the late 18th-century to the end of the 19th-century in the municipalities of Southern Ostrobothnia. Homicide rates went up¹ as did court cases for non-lethal violence and fines perpetrated by people from various societal backgrounds.² This violence has subsequently been displayed in movies, plays, songs and even in the basic way of expressing feelings and thoughts. Some of these cultural expressions have glorified the ways that the disputes were settled: knives and bare hands were the ultimate tools to communicate when a person felt threatened, ashamed or just wanted acknowledgment.³ Men were men and boys were boys — yet, there were certain laws to prohibit some forms of violence.

It seems apparent that society nowadays still has some stigmas from the past. There can be seen some forms of social control and what kind of behavior is accepted from different genders. As modern as we see ourselves, women still need to fight for equal rights and if one should go to the army or not. News articles, blogs and comments online show that both women and men have problems with women going to the army voluntarily⁴. Also, reality shows focus more and more on sexual scandals that are mostly encouraged to happen and are seen as entertainment for the general public.⁵ News templates rate the physical beauty of both women and men⁶, and glorify the sexual photos published on social media platforms while the public discussion forums trash females for behaving “immorally”.⁷

During the knife fighters-phenomenon women did not have the same kind of rights as men and were treated worse than a man. A female’s ultimate goal was to find a husband and live a decent life: Religion mandated women to obey their superiors, men, at all times. Housemaids could be punished physically for the mistakes they made and often

¹ Ylikangas 1976, 31-41, 106-107, 47-49, 53-54, 192-193.

² Kallio 2009, 58, 67-76, 105, 146.

³ *Häijyt* (Finland, 1999). Isontalon Antti ja Rannanjärvi, elektr. document

⁴ Simo Nuuttila’s column writing to the Puolustusvoimien Ruotuväki –website., ”Naiset eivät kuulu inttiin”. Lotta Saarenmaa’s writing to Varusmieslehti., ”HÄIRIÖ VAI TASAVERTAINEN TAISTELI-JA?”

⁵ Mikko Juuti, ”Tässä ovat uudet Temptation Island Suomi -parit – mukana mm. fitness-pari ja sairaalloisesta mustasukkaisuudesta kärsinyt pariskunta” (pak.). *Ilta-Sanomat* 26.02.2020.

⁶ Iiro Myllymäki, ”Uuden Temptation Island -kauden sinkku pudotti nopeasti painoaan - katso ennen ja jälkeen –kuvat” (pak.). *Voice.fi* 27.02.2020.

⁷ Lars Johnson, ”Temptation Island Suomi: tältä kurvikas Inkku näyttää Instagram-kuvissaan” (pak.). *Nelonen* 20.02.2020.

violence conducted privately did not become a legal matter. A rape inside marriage in Finland was also not a criminal offence until 1994.⁸

But how equal is still system of justice here in Finland today, especially when the victim of a violence is a woman? How much do the women of this country actually trust law enforcement? As for recent news and research, the amount of trust is not high especially due to the previous acts and procedures conducted by the police and/or Finnish society. Women do not trust the authorities that much because some of the police forces have diminished the experiences the women have had, and/or just advised the women with “Just leave him alone and do not pay him any attention, it’ll only encourage him more”.⁹ The court case of a criminal investigator hitting his wife at a public place has also affected to trust in the legal system. Before that, he had stated at his work that the violence occurring inside families and a marriage should be processed and concealed even more privately by the court system.¹⁰

This research will help to shed some new light into the past society and potentially build new ideas as of what kind of similarities could be seen from the treatment of women by the law enforcement and society in the 19th-century Southern Ostrobothnia compared to present day Finland. When the time of knife fighters is often described as ‘dangerous’ and ‘cruel’, I am interested to bring up the experiences and events in which women contributed in as victims, perpetrators and witnesses. The meaning of this research is to examine some of the societal differences in two different municipalities in Southern Ostrobothnia and advance an explanation about how the mindset of “what kind of violence is allowed to happen and to whom” have affected ultimately to the realities of the present day.

Research task

Even though the knife fighters-phenomenon has been primarily processed from a male-focused view, it has been acknowledged before that women indeed took part of the crimes and homicides during those times. Since the phenomenon is located in the late 1700s and most of the 1800s, I am depicting two court cases from some years and municipalities apart and compare them with each other and existing research literature.

⁸ Niemi et al. 2017, 193.

⁹ Hilla Körkkö., ”Suomen oikeusjärjestelmä jättää naisen ilman oikeutta netissä ja lähisuhteissa, sanoo Naisten linja” (art.). *Helsingin Sanomat* 04.02.2020.

¹⁰ Mikko Gustafsson., ”Kaikkien perheväkivaltajuttujen salaamista esittänyt poliisin rikos-tarkastaja sai itse tuomion seurustelu-kumppaninsa pahoin-pitelystä” (art.). *HS* 17.12.2019.

This thesis' goal is to find differences in the court cases and even some extreme themes where the female and male sentences differed a lot. My main research questions are: What do these court sentences and punishments imply about the realities of those times and how do they differ in gender specific details? What kind of violence was allowed to happen, to whom and how were women and men punished? Did the punishment "fit the crime" and perpetrator, and can there be found any new explanation models into the study of the knife fighters phenomenon?

This research draws on the history of ideas, gender studies as well as cultural history. The main concepts include *gendered violence and history*, and *Finnish, Swedish law* and interpretation of it.

Theoretical frames

My main hypothesis during this study is that the women contributed to the knife fighters-phenomenon far more than has been previously thought of, and that certain kind of violence was permitted to take place if it involved only certain kinds of people in the 18th– and 19th–century. All of this can lead to a theory that specifically men who statistically conducted most of the homicides, ultimately knew their limits of what they can get away with, affected to the phenomenon itself and to the forms of culture after it in so various detailed and hidden ways. These in turn helped to shape the ways of the expected behaviors and treatment of women and men nowadays.

Previous research on the topic

Heikki Ylikangas and Reino Kallio¹¹ conducted the most recent research on the knife fighters-phenomenon. Ylikangas has statistically analysed a few cases of women involved in homicides.¹² These studies mainly focus on the statistics or general features about the phenomenon, and building theories such as political and economical as of why the phenomenon existed and thrived.

The most useful material for my study are the cases Ylikangas has used briefly in his statistical analysis of the knife fighter phenomenon. Digging deeper into the couple of the cases and comparing them with each other is my differing mission from him and other previous research of the topic: Shifting the focus from statistics can provide mani-

¹¹ Kallio 2009.

¹² Ylikangas 1976, 134-139.

fold materials to explain the cultural background of the phenomenon. Additional, important support for my research is built with the help of the previously studied topics of women's position inside a family and society, treatment by law in Finland, Sweden and other European countries from the 18th– and 19th–century. These studies include *Morality, Crime and Social Control in Europe* (2014) by Olli Matikainen and Satu Lidman, *Crime in Finland from the 1600th century to the present day* (1996) by Sari Forsström, *Women as Maids and Servants from the middle ages to the present day* (2006) by Marjatta Rahikainen and Kirsi Vainio-Korhonen, and *Dominance of Ordinary Life* (2002) by Piia Einonen and Petri Karonen. Most of these are carried out in collaboration with several Finnish and international scholars who have also brought up historical themes of embodied righteousness of male-dominated violence and ideal behaviors of women in Finland.

To draw conclusions and comparisons between past and present, crucial studies such as *Gendered violence* by Niemi, Kainulainen and Honkatukia, *Women as perpetrators of violence* by Satu Venäläinen (2017), and *Inheritance of a Violent Culture* (2015) by Satu Lidman all give informative insights into the present day forms of violence, social control and Finnish law.

Sources and methodology

My main primary sources for the thesis are two court documents from Vaasa Court of Appeal from 1818–1820. The court documents are digital copies of the original ones located in the National Archive of Vaasa. I decided to limit my primary sources with random picks such as these, since the length of this thesis would not allow a wider outlook on the multiple cases that could be overviewed.

The court documents are based on events that occurred in two municipalities in Southern Ostrobothnia, Isokyrö and Laihia. They were originally written by hand and are all in Swedish, because Swedish law was still in force in Finland at that time. They detail homicides that took place and who were the participants, and what kind of punishments were the perpetrators given, with some details about the acts themselves. One of the cases circles around a male perpetrator of the crime and in other a female. The incidents were captured on the court documents just as the law mandated — however, it is possible that some of the voices in the cases have been silenced or left out, such as women's. That is why I think it would ultimately important to ask the kind of questions from the

documents that haven't been asked before: What does it imply when a female's opinion has been left out or silenced as itself? The court documents do tell some details about the possible motives behind the homicides, but as a critical outlook of sources, I also need to consider as if those motives written in the formal documents of law are true indicators or if they had been censored.

As a methodological tool, I will review and build my theories with the help of microhistory. Microhistory is a branch of history research where the focus is targeted on the every-day history of ordinary people and ordinary societal settings, such as these municipalities. By intensive close-reading of the court documents, microhistory can help to discover the expected norms and controlled forms of behavior, as well as contradictions in the basic living. This way some of the hidden and typical norms can be found, by looking at what is missing.¹³ Comparing the court cases with each other and the societal settings, we can find explanations that could be part of a bigger phenomenon (knife fighters in this case) and factors that could have affected the difference or similarity of the phenomenon and the present-day realities.¹⁴ With a micro-historical outlook, shocking and irreversible events such as these homicides can reveal unseen new connections to past society that have hitherto been overlooked.

Structure of the thesis

In the first chapter I examine some of the historical background of women's position from the perspective of Finnish family, society and law, and also review one of the Vaasa Court cases from the early years of the knife fighters phenomenon. I highlight the apparent differences of female and male witnesses and the overall language used and treatment of the accused.

The second chapter focuses on the second court case, which is different to the first example. It also contains a small statistics of other homicide cases and an overall theory of the gender-specific meaning of the examples and the statistics. I compare the two cases with each other using a micro-historical approach, focusing on the different treatment of a male and a female suspect. Furthermore, I will examine some of the apparent gendered differences attached to the law and how it ultimately affected to the knife fighters phenomenon.

¹³ Immonen et al 2002, 70-71.

¹⁴ Satokangas 2014.

1. Women's juridical position

19th-century Finnish law shared many of the moral precepts of Finnish Lutheranism. Even when the law and attitudes changed to more modern directions at the end of the century, forms of social control towards women can still be observed in the court documents of the violent deeds conducted. Women were not permitted to work in court in any position, and it often had their voices silenced during legal proceedings.

1.1 Roots of all the evil

Women's position at the center of the family and community depended a lot on their societal status: upper class women in Finland and also in Southern-Ostrobothnia had wider rights compared to working class women. Women's work outside the home was viewed as "shameful", because it was viewed as something lower class people had to do to. Men's right to work in positions of authority stemmed from the fact that they were seen as capable of functioning "morally",¹⁵ unlike women. Social mores and the law, however, allowed men to behave more immorally than women. As Riitta Suhonen argues, some crimes were not seen evenly punishable by the court, such as drunkenness.¹⁶ Although household wives had rights to punish their maids to a certain degree, too much physical violence was viewed as a criminal act.¹⁷ Household men were allowed to physically and verbally "discipline" their wives, as long as there wasn't any visible bruises or scars to notify of the pain. Divorce in 19th- century Finland was not allowed without the permission of higher authority: Hence, some of toxic relationships were suppressed to continue.¹⁸ Religion highlighted the importance of forgiveness, so many of the couples had no option other than to take extreme measures of to get out of an unhappy relationship.

In the 16th- and 17th-centuries, men as victims of violence from their wives were seen as failed individuals in the eyes of society. Comedy-themed texts and plays distributed

¹⁵ Pulkkinen et al. 2011, 61, 77-79.

¹⁶ Forsström 1996, 218-219.

¹⁷ Einonen et al. 2002, 159, 162-164.

¹⁸ Matikainen et al. 2014, 107-123.

strong images of what a great marriage should be like and how one should behave, so that either gender would not be a topic of public laughter and even more importantly, a threat to a harmonic society. If a wife happened to gain the household ruler-position meaning she'd limit the movement of the husband and have him perform household chores, it meant that a sacred image of a marriage, hence of a society, had been violated and the situation was seen as scary and hilarious at the same time.¹⁹

Commercialism gave new kind of forms of teaching within the newspapers, operas and novels in the 18th– and 19th–century: Women as perpetrators of violence were laughed at also by the top of the societal class and marital violence was connected to people with poor options in life for usual.²⁰ This kind of literature was understood as playful and fun, without any obvious moral doctrines. Certain ways of thinking suggest that violence conducted by a husband was no longer considered acceptable within a public space, and it seems that it faded away to be kept even more private in the household. It became something to be ashamed of.

Looking out after the morals of the citizens was an important duty for the church and religiously motivated policy makers, more strictly in the start of the 17th–century but also in the 18th– and 19th–century. Country rulers wanted their citizens to act as good Christians to create a perfectly unified nation and a pure image of it to the outside world. This way of thinking was common to both Catholics and protestants.²¹ Controlling especially women's sexuality was one of the key themes, as loose morals represented sinful society.²² As it was thought that women were naturally lost without male guidance, “criminal” acts such as having a child outside of marriage or sex with a married man, were punishable with some of the most extreme ways of physical torture.²³ Forms of social control included first hand the physical punishment conducted by a husband, and the violent acts were seen as righteous. Although some of the Swedish laws in the 17th– and 18th–century guided husbands to first persuade their wives with gentle handling and talking, to provide her with good clothing and living conditions

¹⁹ Einonen et al. 2002, 85-87, 90-96.

²⁰ Einonen et al. 2002, 97-99.

²¹ Lidman 2015, 36.

²² Lidman 2015, 290-305.

²³ Matikainen 2014, 87-103.

and supervise her, hitting was allowed to happen if the wife would not obey otherwise.²⁴

Service laws of 1664, 1686, 1723, 1739 and 1805 informed the people of the rights of workers of a household, peasants and maids. These laws also gave information and permission for household masters to discipline their workers.²⁵ Although previous research does not show clear outbreaks of violence inside a household, it is important to note that a lot of cases most likely did not end up into court at any point. Ordinarily the government and court stood by the household master's side to protect itself and groups that were the most useful for them in the long run, the households.²⁶

Servants did not have the same status as household masters and their children according to the moral guidance given by the authorities and the church in both Sweden and Finland.²⁷ Better opportunities to leave a master's household were enacted when a law was passed allowing married servants to gain their freedom from mandatory service to their masters.²⁸ For some of the female maids this law ultimately gave more motivation to establish their own household — however, getting into a good marriage was not easy. If a maid became pregnant with only a promise of marriage, her chances to continue working under a household decreased immensely. If the child's father disappeared, women were often seen as failures.²⁹

1.2. Loopholes in the court system

As Heikki Ylikangas shows, during the knife fighters phenomenon, ordinary working-class people were often so afraid of a murderer that they refused to testify against them. Southern Ostrobothnia's court system lacked serious consequences if there was not enough or at all witnesses to the homicide that happened. Mainly, to lay out a sentence the perpetrator had to confess themselves or there had to be two eye-witnesses to

²⁴ Lidman 2015, 102. Einonen et al. 2002, 81.

²⁵ Rahikainen et al. 2006, 10, 82. Einonen et al. 2002, 159, 166.

²⁶ Einonen et al. 2002, 167.

²⁷ Rahikainen et al. 2006, 29, 79-80.

²⁸ Rahikainen et al. 2006, 29.

²⁹ Rahikainen et al. 2006, 83.

the act.³⁰ As the people knew the insufficient law, one could not ensure their own safety when testifying against a fellow neighbor, friend, relative, own child or a spouse.³¹

Possible view of loopholes in the court system can be seen in the case of a homicide of a housewife, Anna Hintta, killed conducted by her husband Heikki Hintta in November 1818. Anna had been pregnant but had lost the baby on the same year. During the court hearing, a witness from the couple's neighborhood stated that he had seen Heikki with bloody hands and clothes after a loud incident heard at their house. The witness named Matts, said that he heard Heikki laugh about what he had just done (to Anna) in their living room. Three other male witnesses also testified that they heard suspicious noises coming from the house but could not be certain as what they were about. Looking at the presumed equal position of women as witnesses, it is interesting to see how the testimony of women was regarded as less trustworthy than given by men.

*if she [Anna's mother] was competent or not [to testify in court] if those who were at the [Anna's previous] childbirth could be trusted, witnesses Liisa Matts-daughter, Susanna Jacobs-daughter, Lisa Laigren and Susanna Anders-daughter, [more than] Matts Henricsson and Farmer Henri Ladva.*³²

As stated a couple of times in the court proceeding, these women and the couple's daughter Maria actually saw Heikki jumping onto his wife, grab her hair and drag her to the living room of their house. Maria also told that she heard her mother cry there, and wanted to let the court know that she was afraid for her own life if the things she said in the court hearings would spread out in the public. As nobody had seen Anna die in the arms of her husband, the court had alternative explanations for her death, including suicide.

*And had to [the court] gain safer information this part as well of both Anna Simonsdotter's husband and children, as well as the other persons with whom she spent time with, asked away what she had expressed in her lifetime about the time, when she first felt pregnant.*³³

³⁰ Forsström 1996, 148.

³¹ Ylikangas 1976, 206-222.

³² Verdict transcript 1820. National Archive, Vaasa Branch. Ca: 45: 36.

³³ Verdict transcript 1820. VKA Ca: 45: 36.

In this case it was most likely clear to all of the participants, including the court and the church that Heikki was the one who had violently killed his wife Anna. But, as in many other cases, witnesses had an enormous impact on the outcome of the case. As the writing of the court process and previous studies made suggests, the three men did not want to testify against Heikki for whatever reason may and stood by their explanations of not seeing the act itself and could not be sure of the noises they heard inside the house. Even Matts who had seen Heikki with blood in his arms and clothes could not make strong opinions of Heikki being the killer.

The female eye- and hear-witnesses of the violence were treated with having a little of say about the act and the accused. Contradictorily the court wanted to hear their stories, although it was not ready to see them as competent enough to make any formal statements about the homicide or, to be trusted. The violence they saw before the actual killing appears to be dismissed as normal (pulling Anna by her hair across the floor into the living room), and it seems that the preceding acts of violence towards Anna were not seen by the court as evidence against Heikki — or even what he had himself confessed of, to state him being the killer.

*The farmer Henri Henricsson Ladva affirmed, that Henri Hintta, a few days after the event ... admitted that he thereby badly beat and treated her.*³⁴

The court ended up fining Heikki for the “bigger part of the crime” which assumingly was the beating of Anna right before the moment she passed away, as they decided to trust his own confession of the beating and his neighbor’s observation on Heikki’s bloody appearance. However, the court does not still seem to have an issue with the accused’s previous violent behavior as it appears to be told by the couple’s daughter, Maria. Her statements were logged in to “be treated with respect”, but the court did not take her words to be believable.

*the story given by her [Maria], that Henri Hintta had on many occasions in the living room, with a chair, beaten Anna Simons daughter ... however her story is prefabricated, because the aforementioned witnesses said that [after the event], there was not any such chair to be found.*³⁵

³⁴ Verdict transcript 1820. VKA Ca: 45: 36.

³⁵ Verdict transcript 1820. VKA Ca: 45: 36.

As he was the head of the household and a representative of the family, the court would not believe Heikki could possibly be a murderer. As was normal in the 19th–century, his wife and children were under his command and their word against their own family head was automatically viewed with suspicion. The law based its interpretations about homicide of relatives on the Bible, where the children must respect their elders and parents. In a lot of the cases, the court itself did not find the eye-witnesses such as the household wife and children to be trusted to testify against their own father who had committed a murder, because of their close relation to him.³⁶

The court records of the case suggest, then, that the court looked for reasons to disbelieve both of Marias' statements — that she had witnessed Heikki's violence towards her mother both before her death and on the day which she died. The missing of the certain chair that Maria had described seems as it would be proving a part of Heikki's innocence. Even if Heikki's appeared bloody after the incident and admitted beating his wife badly, the missing chair from the alleged earlier occasions seemed to exonerate him for most of the past violence leading up to Anna's death. The fining of the accused is constructed on the violence that initiated Anna's death, however, the court dismisses all of the other crucial witness statements that eventually proved of Heikki's full responsibility of the transaction.

³⁶ Ylikangas 1976, 195-222.

2. Women's violent behavior

2.1 Affected societal norms?

When a maid named Catharina Jacobs-daughter killed her employer's four years old son Esais Rouru in Isokyrö in 1818, there was not any witnesses to be found. As her previous employer Esaias Lammi describes, Catharina confessed the murder to him by herself whereas his words are logged into the court process:

*But as noted by Lammi, on the information received from Catharina, the next was said at the Lammi household:*³⁷

In this case, Catharina's deed is portrayed as hideous by the court as it highlights her movements at that time with specific details — told by Esais' words. Because Catharina confessed to the crime, her talking about it appears to make the murder twice as horrible and punishable. Taking a life of a young child was seen as an unforgivable act under Finnish and Swedish law, however, by the law a male could not be namely guilty of a child-murder as it was always dealt with the status of "regular" homicide.³⁸ In addition as Catharina was not even related to the family, her confession was comprehended as "devilish behavior, sickness of the mind". Apparently Catharina had confessed of wanting to kill herself, but with a fear of not being able to have forgiveness in heaven she confessed knowing her punishment would be death by someone else's hand. As suicide was also harshly judged by the Bible and the Finnish society, Catharina's apparent will to kill herself after the homicide automatically highlighted her obscene desires. The court looked appropriate enough to torture Catharina along the process, presumably to deny her salvation as was still partly the habit in 18th-century.³⁹

*However, Catharina Jacobsdaughter had come to a sense that she, with suicide would not be able to jump on God's grace and forgiveness of her sin, she renounced her desire to end her days*⁴⁰

and thus incurs the death penalty, which

³⁷ Verdict transcript 1818. VKA Ca: 43: 85.

³⁸ Forsström 1996, 219.

³⁹ Matikainen et al. 2014, 308-311.

⁴⁰ Verdict transcript 1818. VKA Ca: 43: 85.

*she should not expect to be a blissful death.*⁴¹

In fact, at the yard of the courthouse Catharina was first placed on a top of a pole in an iron case with a rope around her neck and a black board above her head which stated the crimes she had done. For few days after 5.30pm she was presented as such to the public, after which (on the spot) the executioner physically tortured her with a “jack with ten pairs in three strokes of the pair”. After this described preparation of her departure was conducted, she was “taken away on a wagon across town to the town square to be decapitated and burned therein”.⁴²

Presumably the punishment had a purpose to elaborate the horrific consequences for those who stepped aside of their expected societal norms. The spectacle of suffering such as torture, decapitation, body burning with two-side motives of moral lesson to the public and salvation of the perpetrator⁴³ had seen its top in the 16th– and 17th–century Europe. The critique of capital punishment forced countries to cease public executions or assign them to be carried out privately.⁴⁴ Sweden and Finland seem to have continued this practice far longer, at least until emperor Nikolai I modified the criminal law of Finland by sparing the lives of all of those who were sentenced to death.⁴⁵ However, the pardon only touched those ones also in future whose crime wasn’t seen as a threat to the security of the realm or holiness of the emperor, a lot of the death sentences continued to be carried out the same as usual.

Catharina’s duty as a representative of the lower working class was to be a server and a teacher, caretaker for Esaias and Johan, sons of her employer. As argued by Lidman, the Swedish and Finnish authorities usually punished female perpetrators of violence, homicide and moral crimes more harshly than men. Because of the women’s expected maternal and submissive behavior, their criminal acts were viewed way out of their pre-supposed “natural” behavior.⁴⁶ Catharina appears to have broken out of her expected character by killing, as repeated numerous times by the court, “an innocent young child”.

⁴¹ Verdict transcript 1818. VKA Ca: 43: 85.

⁴² Verdict transcript 1818. VKA Ca: 43: 85.

⁴³ Matikainen et al. 2014, 283, 302-309.

⁴⁴ Matikainen et al. 2014, 280-283, 315-316.

⁴⁵ Forsström et al. 1996, 153.

⁴⁶ Lidman 2015, 123-131.

In Catharina's case it is also important to consider why she wanted to confess the murder in the first place. As Matti Peltonen has noted for 19th-century Swedish court documents, working-class people could only speak in court if they were asked anything — in addition, if such was allowed to happen they did not have the chance to approve the record of their testimony.⁴⁷ Catharina did not have an opportunity to speak anymore after she had, in her previous employer's words, confessed to him. Hence, it seems remarkable that his stories and those of other witnesses that did not see the murder were the ones that determined the court's decision.

Catharina's apparent attempt to marry a soldier fell through before her coming into the Rouru household. As noted earlier, a maid's main aspiration was to establish a great marriage so that she could start governing her own, even if small, household. This option for Catharina was a failed try, hence the murder from a modern-day perspective can be seen as a frustration and pressure in her own societal position — not as simply driven from her nature being "devilish and evil". However, all other viable options that could have had affected Catharina should not be closed out, such as mental and physical violence towards her conducted by the employer(s), sexual abuse or an unwanted pregnancy — all of which would have had most likely led to Catharina herself to be punished by the court, if she would have pressed charges. As Catharina could not be heard at, or by that matter any of the household women as witnesses of her previous behavior, her motives can only be guessed at.

During the knife fighters phenomenon, male suspects appear to have been slightly less likely to be subjected to such harsh treatment or punishment as women. As Ylikangas has shown, men tended to be sent to the Siberia salt mines (which the authority saw as a certain death), ordered to pay a large fine (such as Heikki), whipped or freed.⁴⁸ Without processing any of the gendered differences in them, Ylikangas provides first-hand statistical material in his research⁴⁹ which gives a quick outlook on how the death sentences outlay based on sex:

⁴⁷ Peltonen 2006, 29.

⁴⁸ Ylikangas 1976, 190-195.

⁴⁹ Ylikangas 1976, 348-382.

Time	Homicide victim	Accused	Conviction
1795	Jacob Känga	Anna Kjenga	fine
1796	Greta Öström	Zachris Båsk	fine
1798	Susanna Isosääksjärvi	Juha Isosääksjärvi	prison
1799	Matts Lärka	Susanna Gläder	death
1802	Maria Falkman	Gabriel Falkman	prison
1803	Eva Harnesk	Anders Hägglund	fine
1804	Rebekka Österbygd	Maria Österbygd	death
1805	Caisa Urjas	Jacob Urjas	fine
1805	Agneta Björklund	Petteri Pelkonen	lifelong labor
1807	Beata Matintytär	Matts Teslin	death
1807	Liisa Köykkäri	Elias Köykkäri	released

As these cases represent the early years of the knife fighters phenomenon, it appears as though women were more likely to be sentenced to death after committing a homicide during this period than men were. A more systematical look into the court documents could provide answers as of how the female accused and victims were treated during the process, and how largely were other women allowed to participate into the witnessing parts. At least a few decades later in the 1830's and 1850's, as Martin Bergman has brought up, women in Sweden were granted minor alterations to their executions such as simplifying the process itself or relocating the execution to protect the relatives of the accused.⁵⁰

2.2 Gendered operation of the law

Based on the cases of Heikki and Catharina, it seems that women were not regarded as being as trustworthy as men, either by courts or by society more generally. Physical violence towards women was described neutrally and courts frequently remarked that a householder's daughter was not fit to testify against him and dismissed her statements of her father's previous violent behavior. Catharina was not allowed to speak to the

⁵⁰ Matikainen et al. 2014, 317.

court itself or to the council of the Isokyrö municipality, as she was regarded as having a subordinate status to householders, who were also considered the pillars of the Isokyrö community. Considering the wealthy household of Rouru, it can be presumed that Catharina was not the only female servant of the house, which makes it more strange that the other women connected to the household were not called upon to testify about Catharina's behavior or the events surrounding the murder. The court trusted the household masters' stories of what they had heard and made its decisions based on them, indicating the superior status and advantage of men under the law.

When studying the knife fighters phenomenon, previous research has marginally focused on male-to-male violence. As for Ylikangas, albeit submitting statistical information that violence conducted by women during the years of 1789–1825 increased faster than the population, he has made a claim that women had nothing to do with the phenomenon and considers them to have been neutral bystanders.⁵¹ Similarly as the supreme court of the 17th–20th century, the following studies have not taken seriously female perpetrators and victims of violent crime.

The addressed court examples, as well as the aforementioned statistics, indicate the highly gendered operation of the law. The statistics on female death sentences suggest that women convicted of murder faced far more serious repercussions than men. Contrary to the impression that emerges from Ylikangas's study, women were significant figures in the prosecution of violence, as victims, perpetrators and witnesses. Focusing on statistically male-heavy violence and homicides to explain the cultural background of the phenomenon, previous studies about the topic have overlooked the role of women as offenders and victims of violence. The law privileged men's opinions, statements and explanations at the expense of women's. Gender shaped the verdicts and the grounds on which they were built on, thereby shaping the upsurge in violence and responses to it. Courts appear to have accepted certain kinds of violence, depending on who the perpetrators and victims were.

Drawing short connection between the past and present, current studies point out that marginally women in Finland still undergo a lot more of sexual abuse, harassing, physical and mental violence compared to men and additionally, more than in other European countries. Men tend to experience physical and mental violence from strangers, whereas

⁵¹ Ylikangas 1976, 134-139.

women at home from their partners or ex-partners.⁵² The law has been criticized for the lenient sentences for men who murder, rape or stalk women, and continues to be a topic of discussion.⁵³ The current law settings of violence is carried out with gender-neutral outlook, which appears to diminish male-perpetrated violence and lower sentences if a woman does not have large marks on her body. Similarly, statistical research on 18th– and 19th– century Finland elaborates how court cases of rape were quite rare, and contradictorily most women themselves were sentenced out of groundless accusing during the lack of evidence of highly visible scars, wounds and hear- or eye-witnesses.⁵⁴

Satu Venäläinen observes modern day female perpetrators of violence being written as “devious, abnormal and opposite of women”. Female victims of violence however are described as fragile, weak or behaving in a way that would be seen as infuriating and “encouraging” men to use violence.⁵⁵ These marks dangerously highlight the past notions of allowed violence, and how ultimately men’s use of violence is seen as normal. Moreover, some present day forms of social and sexual control towards women have very similar justifications behind of them to those experienced during the knife fighters phenomenon. As Lidman argues, the past reasoning for tough “love” was to protect and guard women’s sexual innocence and a man’s honor.⁵⁶

As the modern age represents stigmas from the violent history such as female victim blaming, diminishing and gender-expected roles, it is interesting how the gendered operation of the law and criminal punishment hasn’t been considered as influential on the progressive homicides. One explanation for such is the ongoing, certain kind of acceptance of the male-based violence, and how this type had interesting themes to look at such as alcohol usage, tools of killing and the seasonal occurrences of the violence. While pursuing to explicate the knife fighters phenomenon, previous research concurrently kept the glorification of the male-perpetrated violence very much alive.

Appearing that the law settings and outlaid verdicts in 19th–century Southern Ostrobothnia systematically operated in the favor of males, it would be arbitrary to continue predicating that ultimately only one gender produced the knife fighters phenomenon. History is born with interaction between humans, and it comes across that the law

⁵² Niemi et al. 2017, 75-85.

⁵³ Niemi et al. 2017, 57-67.

⁵⁴ Forsström et al. 1996, 148-168. Lidman 2015, 270-289.

⁵⁵ Venäläinen 2017, 81-103.

⁵⁶ Lidman 2017, 299-305.

agreed to properly interact mainly with males. Hence — as the authorities of law were also men — the verdicts, punishment methodology, witness statements and all of which was supposed to maintain the safety of the inhabitants of South-Ostrobothnia was quite the opposite. This detail highly resonated with the formats of violence: The obstacle to take one's life was lowered, as people knew their limits and what they could get away with. The law and authorities behaved differently based on a person's gender and this mindset helped to shape the culture of violence, as well as the male-focused research that persists today.

Conclusions

Almost all the way to the end of the 19th-century, a woman's main position in life generally was to marry good, have children, take care of the house and her husband, and portray the moral values of a true Christian. However, women have not always been neutral objects of societal pressure depending on the exact society. As older studies have suggested, sometimes the society itself has turned against the authorities to protect the women in it. Women in Finland "bended" the law and were assisted to do that by men as well. It would be too one-sided to still argue that all of the women in 18th- and 19th-century Finland were suppressed as devious and sinful seductresses who were all obligated to abstain from sexual behavior.

The law during the knife fighters phenomenon was extremely tight especially when it came to controlling younger generation's free time, and extremely loose when it was about homicides. One possible explanation for the violence is of the acknowledged loopholes in the court system by the citizens of the area. This mindset may have affected the cultural situation and people's behavior in the long run.

The two cases explored in this thesis have shown some of the most extreme themes in the court system and the loopholes which people could have taken advantage of. Gendered expectations also appear to have had an impact on the verdicts, which answers directly to my research questions. Male-perpetrated violence was written off as non-believable when observed by female witnesses, which suggests that the court wanted to keep spouse-on-spouse violence as a private matter inside the household. Drawing on earlier studies, it seems women in Finland experienced more death sentences and torture, because of their gender. And finally, women in fact had an enormous cultural impact to the uprising of violence and homicide because of their gendered treatment in the court of law.

However, as women's position in court during the knife fighters phenomenon has not been statistically studied yet, direct theories regarding how sentences for females differed from those handed out to men cannot be advanced at this stage, but remain an area for further research. Shedding new light on the old studies of the phenomenon, the various ways of physical torture attached to the verdict could help to understand Finland's differing position from other European countries, and add nuance to earlier male-centric

theories explaining the high incidence of violent crime in 19th-century Southern-Ostrobothnia.

Sources

Primary sources

National Archive, Vaasa Branch

Supreme Court of Vaasa. Transcripts of the Crimes 1818-1818. Ca: 43. 85.

Supreme Court of Vaasa. Transcripts of the Crimes 1820-1820. Ca: 45. 36.

Printed publications

Gustaffson, Mikko: *Kaikkien perheväkivaltajuttujen salaamista esittänyt poliisin rikos-tarkastaja sai itse tuomion seurustelu-kumppaninsa pahoin-pitelystä*. Helsingin Sanomat. <https://www.hs.fi/kotimaa/art-2000006345986.html> 17.12.2019.

Johnson, Lars: *Temptation Island Suomi: tältä kurvikas Inkku näyttää Instagram-kuvissaan*. Findance.com <https://www.findance.com/uutiset/49202/temptation-island-suomi-talta-kurvikas-inkku-nayttaa-instagramkuvissaan-mun-lempijuoma-on-viini-24-sentti-uppoo-helposti-ja-nopeesti>. 20.02.2020.

Juuti, Mikko: *Tässä ovat uudet Temptation Island Suomi -parit – mukana mm. fitness-pari ja sairaalloisesta mustasukkaisuudesta kärsinyt pariskunta*. Ilta-Sanomat. <https://www.is.fi/viihde/art-2000006419898.html>. 26.02.2020

Körkkö, Hilla: *Suomen oikeusjärjestelmä jättää naisen ilman oikeutta netissä ja lähisuhteissa, sanoo Naisten linja*. Helsingin Sanomat. <https://www.hs.fi/nyt/art-2000006395037.html>. 04.02.2020.

Myllymäki, Iiro: *Uuden Temptation Island -kauden sinkku pudotti nopeasti painoaan -katso ennen ja jälkeen –kuvat*. Voice.fi <https://www.voice.fi/viihde/a-190276>. 27.02.2020.

Nuuttila, Simo: *Naiset eivät kuulu inttiin*. Ruotuväki.fi https://ruotuvaki.fi/kolumni/-/asset_publisher/naiset-eivat-kuulu-inttiin. Read 15.02.2020

Saarenmaa, Lotta: HÄIRIÖ VAI TASAVERTAINEN TAISTELIJA? Varusmieslehti.fi.
<http://varusmieslehti.fi/hairio-vai-tasavertainen-taistelija/>. Read 15.02.2020

Satokangas, Reija: *Metodien maailma. Mikrohistoria*. University of Oulu.
<https://www oulu.fi/sites/default/files/content/Mikrohistoria.pdf>. 26.03.2014

Audiovisual sources

Häijt. Direction Aleksi Mäkelä, script Aleksi Bardy, producer Markus Selin, producer company Solar Films. 105 minutes.

Research literature

Einonen, Piia & Karonen, Petri 2002: *Arjen valta. Suomalaisen yhteiskunnan patriarkaalisesta järjestyksestä myöhäiskeskiajalta teollistumisen kynnykselle*. Suomalaisen Kirjallisuuden Seura.

Forsström, Sari 1996: *Laittomuuden laitatiellä. Rikos Suomessa 1500-luvulta nykypäiviin*. Studia Historica Helsingiensis.

Immonen, Kari & Leskelä-Kärki, Maarit 2002: *Kulttuurihistoria. Johdatus tutkimukseen*. Suomalaisen Kirjallisuuden Seura.

Kallio, Reino 2009: *Häiriköintiä ja henkirikoksia. Eteläpohjalaisnuoret paikallisen kurinpidon kohteena sääty-yhteiskunnan aikana*. Independently published.

Lidman, Satu 2015: *Väkivaltakulttuurin perintö. Sukupuoli, asenteet ja historia*. Gaudeamus.

Matikainen, Olli & Lidman, Satu 2014: *Morality, crime and social control in Europe 1500-1900*. Suomalaisen Kirjallisuuden Seura.

Niemi, Johanna & Kainulainen, Heini & Honkatukia, Päivi 2017: *Sukupuolistunut väkivalta. Oikeudellinen ja sosiaalinen ongelma*. Vastapaino.

Peltonen, Matti 2006: *Lukkari Saxbergin rikos ja herännäispappilan etiikka*. Gaudeamus.

- Pulkkinen, Tuija & Sorainen, Antu 2011: *Siveellisyydestä seksuaalisuuteen. Poliittisen käsitteen historiaa*. Suomalaisen Kirjallisuuden Seura.
- Rahikainen, Marjatta & Vainio-Korhonen, Kirsi 2006: *Työteläs ja uskollinen. Naiset piikoina ja palvelijoina keskiajalta nykypäivään*. Suomalaisen Kirjallisuuden Seura.
- Venäläinen, Satu 2017: *Women as perpetrators of violence*. Academic Dissertation. University of Helsinki, Faculty of Social Sciences.
- Ylikangas, Heikki 1976: *Puukkojunkkareitten esiinmarssi. Väkivaltarikollisuus Etelä-Pohjanmaalla 1790-1825*. Otava.